

# Wilmington Journal.

WILMINGTON, N. C.

FRIDAY, DECEMBER 15, 1871.

## NORTH CAROLINA LEGISLATURE.

### SENATE.

Wednesday, Dec. 13, 1871.

Mr. Love introduced a bill to pay off and adjust the entire debt of the State. Placed on calendar and ordered to be printed.

Mr. Edwards presented a memorial accompanied by a bill in relation to false jurors. Referred.

A message was received from the house announcing its non-concurrence in the Senate proposition to raise an additional joint select committee on redistricting the State.

Mr. Trow introduced a bill to amend the charter of the Fayetteville and Florence Railroad Company.

Mr. Love, a bill to cure a defect in the advertising of the sales of real estate.

Mr. Trow, a bill to amend and extend the charter of the Raleigh Manufacturing Company of Fayetteville.

Mr. Cook, a bill to reconstitute and supply records of the former County Courts.

Mr. Brogden, a bill to repeal eleven hundred and twelve laws of 1870-71, in regard to elections.

Mr. Mauney, from the committee on printing, announced the expenditure of the day of the contract, with the State printer, and stated that a temporary arrangement would be made with the State printer pending a permanent arrangement of the matter.

Mr. Merriam introduced a bill to incorporate the Brevard and Waynesville Turnpike Company.

The chair announced the following as the Senate branch of the joint select committee to redistrict the State, viz: Mr. Edwards; Mr. Mauney; Mr. Graham; Mr. Barrett; Mr. Cowles; Mr. Love.

The special order of the bill to alter the constitution of the State was taken up on its second reading. The question being on the adoption of the substitute of the committee on constitutional reform.

The amendment was adopted. The question recurred upon the passage of the bill as amended.

Mr. Brogden thought the amendments should be considered. He thought the amendments should go to the people separately and stand or fall on their own merits.

Mr. Robbins, of Rowan, said in reply that all amendments heretofore were submitted and adopted or rejected in a body—insisting the amendments of 1857, 1869, and the present constitution. The necessity of the case required such a mode, for the striking out of one feature of the constitution necessitates other amendments which could not be separately considered.

Mr. Edwards gave notice of an amendment to the whole bill.

Mr. King favored much that was in the bill, but was opposed to re-establishing the County Courts.

The question recurred.

Mr. Murphy moved to adjourn. Not agreed to.

Mr. Graham moved to reconsider the vote adopting the substitute in order to re-introduce a parliamentary obstacle to the introduction of Mr. Leiman's amendment, or any other. This motion was not agreed to.

Mr. Leiman now offered his amendment. On motion of Mr. Robbins, of Davidson, the further consideration of the bill was postponed and made the special order for 11 o'clock on Friday.

A communication was received from the Governor, transmitting a resolution of the Legislature of Georgia, in relation to refunding the tax on cotton collected in 1865-66-67 also from the Legislature of Tennessee in relation to the proposed international meteorological reports.

On motion of Mr. Robbins, of Rowan, the message and resolutions were referred to the committee on propositions and grievances.

Mr. Fleming introduced a bill to empower the county commissioners to extend the term for the collection of county taxes. Referred.

Mr. Gilmer introduced a resolution calling for a statement of expenditures of the State during the years 1869-70 and 71-72. Adopted.

NOTE.—The act calling for a detailed statement of receipts and disbursements, from the commission to settle the affairs of the Western N. C. Railroad was ratified yesterday.

### HOUSE OF REPRESENTATIVES.

Wednesday, Dec. 13, 1871.

On motion of Mr. Anderson, the bill to insure the speedy printing of the public laws was taken up and passed its several readings.

(Requires the Secretary of State to furnish the public printer with the laws and resolutions as fast as they are printed.)

By Mr. Hill, a bill to incorporate the Great Falls Manufacturing Company, Wake county, referred.

By Mr. Ashe, a bill to require department officers to submit an estimate of expenses; referred.

By Mr. McCauley, a bill in relation to commissioners; referred.

On motion of Mr. Gilmer, from the special committee, reports on the bill to consolidate the books of land grants in the Secretary of State's office, and the resolution passed on the calendar.

A message was received from the Governor, transmitting the report of the Superintendent of the Dan and Dumb and the Blind Asylum. The report was appropriately referred.

On motion of Mr. Robinson, the resolution to pay certain witnesses summoned in the case of Judge Leiman was taken up and passed its several readings.

On motion of Mr. Ashe, the bill to raise the revenue was taken up and considered.

During the discussion of the bill, which provides a tax of 12 cents on the \$100 of the Penitentiary, Mr. Robinson offered an amendment to strike out "12 cents" and insert "10 cents." Mr. Robinson said that when the site of the Penitentiary was discussed in the Legislature of 1868-69, the \$10,000 of cash in Raleigh offered, as an incentive to the State, was near the city. But there is no cash in Raleigh, and the building, and he hoped that his amendment would be adopted, and the citizens of Raleigh brought to fulfill their obligations, &c., &c.

Mr. York moved to amend the amendment by striking out the section entirely.

Mr. Robinson acquiesced in the amendment of Mr. York and withdrew his amendment.

Mr. Waring moved to amend by striking out "10" and inserting "5 cents." His amendment was not agreed to. His amendment was called for in the section, and his representatives should be heard in the matter. He would never consent to tax the people so. On a vote of 15 yeas and 15 nays, the amendment was not agreed to. The bill was then passed.

Mr. Ashe said he did not favor this penitentiary scheme, and regarded the change in our old law is very unfortunate for the State. But there is a constitutional provision which makes it a constitutional provision, and he would not vote to repeal it.

Mr. Harris, of Guilford, thought it incumbent in the house to vote for the 12 cents.

Mr. Johnston, of Buncombe, did not carry out in full the work upon this legislation, &c. He thought it the duty of

the Legislature that assembled after the ratification of the constitution to make all the necessary appropriations to carry out the work. He would vote for a tax to feed and clothe the inmates and to guard them properly. He would not vote for tax to erect a building upon such a magnificent scale.

Mr. Sparrow regarded it as most unfortunate for the best interests of the State that the Republican party had ever fastened this scheme upon the people. But that party had made it a constitutional obligation to prosecute the work and also put a contract upon us which we could not avoid, and he thought it the best policy and soundest economy to go on with the work and get rid of creating so many temporary prisons which cost so much money and have built at once a permanent and substantial prison. He did not propose to increase the aggregate tax, but in order to prosecute the undertaking it was proposed to take 3 cents of the proposed tax, 20 cents for general purposes and add it to this penitentiary tax and only levy 17 cents for general purposes, &c.

Mr. Leiman was in favor of the prosecution of the work. Both, the contract and the constitution, required that it should be.

He had discussion took a wide range, during which Tucker, colored, of Craven, said he would vote for 15 cents. The papers said that many of his people went to this building, and as long as that was so it became his duty for them to vote for it, and therefore he would vote for a sum sufficient for their comfortable maintenance while there. Pending any definite action the bill would be taken up tomorrow at 11 o'clock, on motion of Mr. Nicholson.

On motion of Mr. Harris, of Guilford, the resolution was adopted, the indices of books of land grants in the Secretary of State's office, was taken up.

Mr. Wilcox moved to lay the resolution on the table.

The consideration of the resolution in regard to the indices of land grants was resumed.

On motion of Mr. Ashe, the matter was referred to the committee on propositions and grievances.

### SENATE.

Thursday, Dec. 14.

The Senate met at the usual hour, Mr. President Warren in the chair.

### SPECIAL ORDER.

The bill to exchange the stocks of the State for the bonds of the State, was taken up, being the Special Order, the question being on the adoption of the substitute of the committee on Finance as an amendment.

Mr. Leiman gave notice of an amendment to the whole bill.

Mr. King favored much that was in the bill, but was opposed to re-establishing the County Courts.

The question recurred.

Mr. Murphy moved to adjourn. Not agreed to.

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Mr. Leiman now offered his amendment. On motion of Mr. Robbins, of Davidson, the further consideration of the bill was postponed and made the special order for 11 o'clock on Friday.

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### HOUSE OF REPRESENTATIVES.

Thursday, Dec. 14, 1871.

House called to order at the usual hour. Prayer by Rev. Dr. Mason, of the city.

Mr. Stanford presented a petition from certain citizens of Magnolia, Duplin county, referring to the bill to amend the constitution which had been introduced.

Mr. Sparrow, from the Judiciary Committee, submitted the following report upon Madison's resolution to raise a Joint Committee to investigate charges of Ku-Kluxism against certain members and officers of the General Assembly:

"The Judiciary Committee to whom was referred

A resolution to raise a Joint Committee to investigate certain charges against F. N. Strudwick and others. Members and officers of the General Assembly have had the same under consideration and respectfully report:

"That the Congress of the United States has appointed a committee to inquire into the existence of organizations such as those mentioned in the resolution, and its members thereof, and what outrages, if any, upon the persons or property of citizens, have been committed by such members; and has also conferred upon the said committee the duty of reporting to the Senate and the House of Representatives the results of its investigation, and the measures which it may deem proper to recommend for the trial and punishment of such class of organizations under the laws. This committee is now sitting in this city with full powers to investigate the same, and has already received from its members with a grand jury whose sworn duty it is to make diligent inquiry into all alleged misdoings of the same, and to present them to the same.

The Legislature of North Carolina at its last session passed an act for suppression of all secret societies, and provided that any violations of the law a misdemeanor, punishable on conviction by fine or imprisonment at the discretion of the judges of the superior court.

The resolution demands of this General Assembly that it shall interfere in cases which are open to judicial proceedings, and assist in the prosecution thereof, contrary to the principles of the constitution. In the opinion of this committee, it is neither proper nor expedient for this General Assembly to interfere in such a judicial question for the trial and punishment of its members, which may have been committed by its members, not in their capacity of legislators, but in their capacity of citizens, and for which they are amenable to the laws, and for which they are answerable before the courts of justice. It would be gross injustice to a member of this body, and a violation of his most sacred rights as a citizen, to require him to answer here to alleged misdoings committed by him not in his capacity of a legislator, but in his capacity of a citizen, or to require him to answer before the courts for the same offense.

This committee knows no reason why any class of indictable offenders against the laws should be called to answer at the bar of either House of this General Assembly more than another class. These are matters for the courts, and not properly within the jurisdiction of a deliberative body such as this.

Apart from these considerations as to the propriety of this action, there is a fatal objection to the same. The resolution demands that the members of either House be required to answer to the charges of either House for the other to interfere in its government.

The committee respectfully recommends that the resolution be rejected.

THE RESOLUTION OF THE SENATE, "That the consideration of the matter was postponed until tomorrow at 10 o'clock."

By Mr. McCauley, a bill to allow the County of Wayne to sue for damages for the loss of the county seat, was taken up and considered.

On motion of Mr. Broadfoot, the bill to incorporate the Fayetteville Building and Loan Association was taken up and passed its second reading.

### SPECIAL ORDER.

The bill to provide for the collection of taxes by the State and by the several counties, was taken up and considered.

On motion of Mr. Sparrow, the resolution to raise a joint committee to inquire into the genuineness and authenticity of a letter purporting to have been written by Daniel Latta, of Orange county, making charges against a member of the House, was taken up and considered.

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time of holding municipal elections in Fayetteville; referred (election to be held 1872).

By Mr. Carr—A bill to authorize the Western R. R. Co. to open navigation in the waters of Lower Little River and its tributaries. Referred.

By Mr. Stewart—A bill to incorporate the Raleigh and Fayetteville R. R. Co. Referred.

By Mr. Wilcox—A bill to amend sec. 2, chap. 66, laws of 1869-70. Referred.

By Mr. Copeland—A bill to repeal chapter 90, laws of 1870-71. Referred.

A world's general assembly at which all the members of arbitration under the Washington treaty are expected to arrive to-night, and will meet at the Hotel de Ville to-morrow.

### CABLE DISPATCHES.

PARIS, Dec. 14.

It is reported that the Orleans princes have determined to take their seats in the Assembly at an early day, and will act with the party of the right center.

LONDON, Dec. 14—2:30 P. M.

No further change in the condition of the Prince has been reported, and hopes of his recovery are freely expressed.

The report that Parliament would be convened in January is contradicted.

### WASHINGTON, Dec. 15.

Mr. Elia, the new United States Auditor, has assumed the functions of his office to-day.

There was a full and long Cabinet meeting to-day.

The Wash. has arrived safely at Cadiz. All well.

The Republican Senators discussed this morning the bill to amend the act authorizing the sale of the public lands, and the committee on the subject of the bill.

Mr. Phillips said in explanation of his vote that he had intended to say something upon the resolution under consideration but was prevented from so doing by the motion to table. That as a member of the Judiciary Committee he had no right to say anything on the resolution under consideration but was prevented from so doing by the motion to table. That as a member of the Judiciary Committee he had no right to say anything on the resolution under consideration but was prevented from so doing by the motion to table.

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